

While much research has been done regarding the Civil Rights Movement and school desegregation in Atlanta and other major Southern cities, information regarding Chattanooga, TN has never been published. As a vibrant city with a large African American community and an interesting mix of both Southerners and former Yankees who emigrated after the Civil war, Chattanooga's story is an important one to be told. This study covers the story of desegregation through a legal lens as a major lawsuit in Chattanooga was ultimately what brought about desegregation in the public school system. Through interviews, oral histories, and original legal documents from the case, the paper highlights the struggle between the African American community and the school board in the fight for equal education. A small group of African American parents stood up to the all-white board of education and demanded that their children be given full-time, equal education. Although many in the White community questioned the legality of the Supreme Court's ruling in *Brown v. Board of Education* and later staunchly opposed desegregation, the lawsuit ultimately resulted in one of the most peaceful desegregation attempts made in the South. The case, entitled *Mapp v. Board of Education* resulted in a twenty-six year legal battle for equal rights, and school desegregation was only the beginning.



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# AN IN-DEPTH LOOK AT THE DESEGREGATION OF CHATTANOOGA CITY SCHOOLS



## INTRODUCTION

Prior to the desegregation and civil rights movements of the mid-20th century, Chattanooga looked like many other southern cities in regards to racial separation and discrimination. Although located in Tennessee, Chattanooga kept its eyes focused south on Atlanta throughout the 1950's and 60's watching the nearby, larger city's attempt to understand and implement emerging policy decisions. This "wait and see" model allowed Chattanooga to have one of the most peaceful desegregation attempts in the South.

In the 1960's the Tennessee Valley area was divided into two distinct schools systems, Chattanooga City Schools and Hamilton County Schools. For the purpose of this paper, the schools referred to will include only those found within the Chattanooga City School system. This paper will attempt to broadly trace the desegregation process within a legal framework, from the 1950's to the 1980's within the city limits.

## DISCUSSION

The catalyst behind the beginning of school integration throughout the country was the Supreme Court decision of *Brown v. Board of Education of Topeka, Kansas*. Prior to this 1954 decision, schools had been segregated on the basis of "separate but equal," a doctrine which originated out of a Supreme Court case in 1896, *Plessy v. Ferguson*. News of the ruling reached even the smallest communities; making the front page of the *Chattanooga Times* in Tennessee. For the most part, the civil rights era in Chattanooga, TN was characterized by its nonviolence; but that is not to say the city did not see its fair share of demonstrations and protests. Around the country, cities and school boards began to take action in order to comply with the Supreme Court's interpretation of the Fourteenth Amendment. In Chattanooga, the local school board reacted quickly, and initially, it appeared that they would comply with the law. They voted unanimously to act on the mandate, issuing several public statements acknowledging the Supreme Court's authority.

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In a 1955 effort to involve local citizens, and possibly to placate the African American community, the school board created an Interracial Advisory Committee (IAC) made up of both Whites and African Americans who were charged with laying the foundation for a peaceful desegregation. Conversation at the first meeting of the IAC became heated as communist accusations flew at the board and people began chanting and yelling that the Tennessee constitution forbade racial mixing within schools. The meeting dissolved into chaos when a tear gas bomb was dropped. Fearing further community unrest and violence, the board decided to postpone the desegregation process interminably and embark on a process of elucidation and education.

In the five years that passed between the tear gas incident and the spring of 1960, racial tension seemed to abate. The board took this opportunity to move African American school construction projects to the top of its list, hoping to ameliorate overcrowding, the basis for much of the pressure to desegregate. However, the demonstrations and protests that began in 1960 brought Chattanooga's attention to the issue of local race relations. In February, Chattanooga saw its first sit-in at a local lunch counter. Students at Howard High School passed out a list of rules to their fellow classmates that admonished cursing and encouraged small purchases during the demonstrations. The sit-ins were short, barely lasting over a week, and were overwhelmingly successful in desegregating the local lunch counters, but the protests also accomplished a much larger goal. By drawing the race issue to the forefront of the communities' hearts and minds for the first time since 1954, the lunch counter demonstrations spurred local citizens to action and set the stage for the school desegregation attempt that would come within the next few years.

In April of 1960, James R. Mapp, a father of three young children, filed suit against the Chattanooga School Board in an effort to relocate his children to a closer, less-crowded all-White school. He intended to force the board to stop the operation of a compulsory bi-racial school system, but what he did not realize was that his complaint would launch a twenty-six year, exhaustive legal battle in Chattanooga for civil rights, equal opportunity, and racial justice.



Under district court orders in 1962, the school board began operating under a four-step timeline that would allow for complete school desegregation by 1968. This plan allowed for gradual desegregation within the school system beginning with the lower levels and proceeding upwards toward the 12th grade. By 1965, all elementary schools and the first year of junior high schools had been desegregated and yet the pace left the school system operating, in large part, on a bi-racial basis. Thus, an acceleration motion by the plaintiffs in the spring of 1965 was granted that would allow for complete dissolution of the dual school system by September of the same year. The motion for further relief requested complete desegregation of all grades along with all personnel, and the elimination of racial restrictions on extra-curricular activities.

Portions of this request stemmed from the Civil Rights Act of 1964, which, "prohibited discrimination in public places, provided for the integration of schools and other public facilities, and made employment discrimination illegal." For many school systems, the most relevant portion of the Act denied federal funding to those who were not in compliance or who were not attempting to become in compliance. In Chattanooga, this meant that the board needed to demonstrate a good faith effort to attempt to desegregate or lose crucial government funding.

An acceleration of desegregation was granted and in the fall of 1965, the remaining levels of junior high school and high school were desegregated. Although the request to assign personnel without regard to race was denied, the board began assigning teachers across racial lines in 1966. By the Fall of 1967, a total of 115 teachers had been assigned across racial lines and only two schools' faculty remained segregated.

By August of 1967, it became apparent both to James Mapp and to the city that regulated desegregation might not achieve the desired goals of integration within the city schools. Mapp attempted to combat this by filing a continuation of his original suit charging the city with deliberate slow-down of desegregation. He claimed that the ratios of students and teachers in formerly all-White and all-Negro schools was still overly skewed. Mapp further accused the board of "gerrymandering" school district lines to allow for continued segregation.

The broadening of the scope of the original lawsuit brought new arguments and ideas into Chattanooga's desegregation discussions and ultimately revealed interesting insights into cultural and race-based behavior. The school board maintained that although some instances of racial majorities still existed within the system, it was not its concern, stating, "...whatever racial segregation continues in the school system of Chattanooga today...is a result of what is referred to as 'de facto' segregation as contrasted with 'de jure' segregation. [It] is the result of factors and forces in the community, both in the past and in the present, over which the Chattanooga Board of Education has absolutely no control and thus, for which it has no legal responsibility."

In May of 1971 the district court rejected this de facto argument as five formerly all-black schools in Chattanooga remained all-black, three had one White student, and six had less than ten White students resulting in a total of 9,223 Black students and 48 White students in formerly all-Black schools. In formerly all-White schools, three remained all-White and four had less than five Black students yielding a total of 13,250 White children and 3,446 Black children in formerly all-White schools.

In June of 1971 the board also provided a second plan for faculty desegregation that would create a 55% White – 45% Black ratio (plus or minus 10%). In the plan, teachers were given an opportunity to request up to four schools and were then transferred by lottery and seniority. This plan went into effect in August of 1971. From that summer of 1971 to June of 1973, the Board of Education of Chattanooga, TN attempted "to remove all vestigial remains of a dual school system; achieve maximum integration, and find a viable racial mix."

Yet, the board found a 22% rejection rate by White parents whose children were placed in formerly all-Black schools. Additionally, as the percent of the Black student population approached 40%, a changeover to 100% African American occurred within three years. With this in mind, the board requested permission to proceed with an amended plan of desegregation that would increase the proportion of Whites to Blacks in the schools in order to minimize White withdrawal from the public schools.



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On November 16, 1973 Judge Frank Wilson, who had presided over the case since 1961, ruled against the board's amended plan for desegregation saying, "No plan of school desegregation can pass constitutional muster unless it is demonstrated that it does remove all residual consequences attributable to the fact that the system was one designed, built, located, structured, and operated as a dual school system." Furthermore, "concern over 'white-flight' cannot become the higher value at the expense of rendering equal protection of the laws the lower value." Thus, Judge Wilson ordered the school board to continue to attempt to achieve the original desired ratios of approximately 50-50.

The city pursued the mandated ratios through various constitutional and unconstitutional methods. However, many of the schools were still sub-par in terms of equality. The board attempted to bus students, but some of the transportation schedules for the African American students required 9 hours between pick-up and drop-off to base schools. In addition, the board attempted to meet ratios by mandating "in-tact transfers" or the, "moving of whole classrooms in-tact from one school to another." Thus, classrooms remained segregated on an individual basis with, "the only contact made with students of the opposite race occurring at lunch time or in special classes." These students were receiving similarly unequal education as they had in their previous classrooms. The facilities may have been better and closer but discrimination was still taking place.

When Judge Wilson's deadline arrived in January of 1974, the racial ratios in many schools were nowhere near the intended outcome. The school board had gerrymandered the zones in an attempt to place 30% or more Blacks in formerly all-White high schools and 30% Whites in formerly all-Black high schools. "The result substantially desegregated the white schools but was a failure in the formerly all-Black schools with something like ten to fifteen White students remaining in each of the formerly all-Black high schools." The school board maintained that "this effort was taken, and it failed, and with no responsibility attributable to the board for such failure, than the racial disproportion is now de facto and beyond the scope of the Fourteenth Amendment."



Wilson decided that the school board had taken appropriate affirmative steps when it implemented zoning areas for the four city high schools that would have increased White enrollment at Riverside and Howard (the two formerly all-Black high schools) to 25%. However, Riverside and Howard remained more than 95% Black since the 1971-1972 school year, with nearly all of the White students zoned for attendance transferring to private/parochial schools or relocating to the suburbs. This is further evidenced by the fact that in the 1965-1966 school year, there were 14,144 White students in the Chattanooga School System but by 1973, there were only 8,125 White students left.

The annexation of several suburban White schools and the loss of many White students from inner-city schools further complicated the cities' plan for ratios based on total percentages. Judge Wilson indicated that the board had no additional responsibility to increase the degree of desegregation in the annexed areas of Hillcrest and 10D. However, as Mapp and the NAACP pointed out, this opened the door for a "core city either all-Black or substantially all-Black with the suburbs substantially White with a minimum number of Black students." They appealed this ruling to the Sixth Circuit, arguing both 10D and Hillcrest, as well as future annexations, must be included in the system's plan of desegregation. "Plaintiffs were entitled to a system-wide remedy which would, at the time of its effectuation, extirpate the vestiges of segregation from all of Chattanooga's schools." Not involving the annexations in the desegregation plan "creates and insures the future creation and perpetuation of, a ring of suburban, heavily white, 'neighborhood' schools...the result being a built-in incentive toward resegregation." Furthermore, "common sense alone should have told the District Court that exclusion of annexed areas from the operation of the plan would doom it."

Attorney for the School Board, Raymond Witt countered, arguing that the racial composition could not have been the responsibility of the board and that the newly annexed schools should, "continue with the racial composition possessed by such schools at the time they became part of the Chattanooga system."

It was during this same appeal in 1975, that the board first introduced the idea of termination of the litigation. The board acknowledged, with some hostility, the history of the litigation, accusing the plaintiffs of changing their interpretations of the constitutional requirements to the point of, "a 180

degreeturn in their theory moving from a demand that decisions be made without regard to race to a remedy requiring that decisions be made upon the basis of race." The board claimed they had done everything within their power to desegregate the system, and that it was now, and had been since 1967, a unitary system. Ultimately, the Sixth Circuit upheld the orders of the District Court from 1973.

In April of 1976, Judge Frank Wilson denied further requests by the plaintiffs for a new desegregation plan for all Chattanooga schools, including annexed areas. He indicated that it would be, "appropriate to bring this litigation to an end."

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By this time, the annexation included fifteen schools and 9,627 pupils, most of whom were White. With this ruling came a brief respite for both parties in Chattanooga. For the next several years, litigation remained minimal and the community seemed to come to terms with a somewhat desegregated system. In 1979 Riverside, one of the two formerly all-Black high schools closed due to low enrollment numbers. As of 1977, only 400 students attended Riverside on a daily basis, down from nearly 1400 in 1967.

Judge Wilson passed away in 1982 after seeing the case through more than twenty years of litigation. At that point, Judge R. Allen Edgar took over for Wilson. The next month, the board filed a motion asking the court to find, "it has been in compliance with court orders on city school desegregation for 10 years and dismiss the board from the 24-year-old suit."

In March of 1986, Edgar told the board that he would "consider the board's request to dismiss Chattanooga's 26-year-old desegregation case once the ratio of Black and White teachers and staff members at each school 'approximately' equals black-white percentages for the whole system." Edgar indicated that his decision was based on Judge Wilson's 1971 order and that while the board was technically in constitutional compliance in terms of students, the faculty ratios needed improvement. His order included the schools that had been annexed at any point throughout the desegregation proceedings but only in terms of teachers, not students.

In December of 1986, Judge R. Allen Edgar dismissed the 26-year-old case, *James R. Mapp v. Board of Education of Chattanooga, TN*. He announced the court-approved plan of 1971 was fully implemented and that there was, "no demonstrated need to further monitor compliance with orders of this court."



## EPILOGUE

The Chattanooga desegregation litigation culminated with no real victor and severe inequality left in the system. While James Mapp was awarded attorney's fees, which only the "prevailing party" is eligible for, both he and his attorneys felt that they had won some battles but lost the war. Mapp's children, in whose names the original suit had been filed, had long since graduated by 1986 and their time in school had been fraught with harassment and bullying. On several occasions they had asked to be transferred back to their original majority-Black schools. In addition, Chattanooga was in the process of re-segregating itself. White families were fleeing to the suburbs leaving under-populated Black schools in the inner city with few resources. Despite busing, clustering, gerrymandering, and many other forms of relocation, the desired ratios mandated by Judge Wilson in 1971 were never achieved.

In more recent years, free magnet schools have sprung up in an effort to combat the educational inefficiencies of the Chattanooga City School System. Mr. Mapp continues to battle for racial equality and still runs the local NAACP chapter out of the back of his insurance office. Ultimately, his bravery and patience fundamentally changed the landscape of the Chattanooga system. It is rightfully so that he is still not satisfied and one can only hope that his example has instilled the same passion for equality and justice in future generations.

## FUTURE WORK

One of the most interesting aspects of the Chattanooga desegregation story is the way in which it is both similar to and different from other desegregation attempts around the country. My project was so focused on telling the unique and compelling story of my hometown that at times, I missed the forest for the trees. It would be fascinating to step back from the day-to-day happenings of the Chattanooga story and to put the process in the context of the larger movement around the country.

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